

REGULAR MEETING JULY 10, 2001

THIS IS TO CERTIFY THAT:

The San Bruno City Council met in Regular Session at the Senior Center, 1555 Crystal Springs Road, Tuesday, July 10, 2001, 7:00 pm. Present were Mayor Franzella, presiding; Councilmembers Ibarra, O'Connell, Pallas, Ruane; City Clerk Rasmussen, recording; City Manager Hedley, Interim City Attorney Kenyon.

ABSENT: None

Pledge of Allegiance was led by Recreation Services Director Larry Mazzuca.

Mayor Franzella acknowledged tonight's beautiful floral display from **San Bruno Garden Club**.

PRESENTATION

Recreation Services Director Mazzuca, who just returned from visiting our Sister City Narita, Japan, presented gifts from Mayor Ogawa.

PROCLAMATION declaring July **Parks and Recreation Month** was presented to Recreation Services Director Mazzuca; includes July 28 Free Swim Day.

REVIEW OF AGENDA

Upon Interim City Attorney Kenyon's advice, M/S Ruane, Ibarra to add following Closed Session item on basis that need for action arose after publication of agenda: Pursuant to Government Code Section 54956.9(a) and 9(c) for Conference with Legal Counsel re existing litigation re (1) *Thomas Ott v City of San Bruno*, and (2) anticipated litigation. Motion passed unanimously.

APPROVAL OF MINUTES

- a. Adjourned regular meeting June 26, 2001 (Enterprise Funds Budget)
- b. Regular meeting June 26, 2001

CONSENT CALENDAR

- a. Approved: Payroll of July 2, 2001
- b. Approved: Accounts Payable of July 2, 2001
- c. **CATV Donations**: Approved (recommended by Director)
 - (1) **Joe DiMaggio All Star Tournament**, \$800
 - (2) **Pony Sectional Baseball Tournament**, \$1000
- d. Confirmed (recommended by Mayor): Designation of Councilmember Ibarra/Voting Delegate and Councilmember O'Connell/Voting Alternate for business meeting of League of California Cities Annual Conference September 12/15 in Sacramento (*no document*)
- e. Adopted (recommended by Finance Director): **Resolution 2001-53** Adopting Two-Year **Enterprise Funds** Budget for 2001-02 and 2002-03; implements June 26, 2001 Council Minute Orders
- f. Adopted (recommended by Public Works Director): **Resolution 2001-54** Authorizing San Mateo County to Submit Applications to California Integrated Waste Management Board for Grant Funding for **Used Oil** and **Hazardous Waste** Collection and Disposal Programs; no fiscal impact

END OF CONSENT CALENDAR

M/S Ibarra, Ruane to approve Consent Calendar; passed unanimously.

PUBLIC HEARINGS: NOTICES HAVE BEEN PUBLISHED, POSTED, MAILED

- a. **Urban Water Management Plan** (*continued from June 26*): **Public Works Director Munns** recommended adopt **Final Report** dated July 2001 prepared by Brown and Caldwell (*available for review in Library and City Clerk's Office*).

Consultant Bob Mills presented **Urban Plan** indicating San Bruno will have adequate supply during dry years to satisfy demand through year 2020.

Public hearing was opened.

Since no persons from audience wished to speak, M/S Ruane, Ibarra to close hearing; passed unanimously.

M/S Ruane, O'Connell to concur in recommendation; passed unanimously.

Related item: Public Works Director Munns recommended adopt **City Water System**

Master Plan Update prepared by Brown and Caldwell (*available for review in Library and City Clerk's Office*).

Consultant Bill Faisst presented **Update** which addresses significant findings, conclusions and recommendations for City water facilities through year 2030.

M/S O'Connell, Pallas to concur in recommendation; passed unanimously.

b. **Water/Wastewater Rates: Public Works Director Munns** recommended adopt Ordinances covering three fiscal years, 2001-02, 2002-03 and 2003-04.

(1) **Ordinance** Establishing **Water** Rates and Service Charges; represents 3.6%, 4.0% and 4.4% increases for average **bimonthly** single-family residential customer.

(2) **Ordinance** Adopting Rates Charges and Fees Pertaining to **Wastewater** (Sanitary Sewer) Service; represents 1.8%, 3.9% and 5.7% increases for average **bimonthly** single-family residential customer (combined bimonthly bill \$112.86, \$117.36 and \$123.30).

Public hearing was opened.

Mike Kaiser, 5th Avenue, inquired about bond issue to handle improvements.

Since no other persons from audience wished to speak, M/S Ibarra, Ruane to close hearing; passed unanimously.

Following actions were taken: M/S Ruane, Ibarra to waive first reading of both Ordinances; passed unanimously. Both Ordinances were introduced by Vice Mayor Ruane and unanimously passed by roll call vote.

UNFINISHED BUSINESS

a. **Community Promotion Allocations: Melodie Smith/Center for Domestic Violence Prevention** presented FY 2001-02 request to increase allocation from \$2000 to \$5000.

M/S Ibarra, Ruane to concur with request; passed unanimously.

b. **City Clerk/City Treasurer Salaries: City Manager Hedley** presented increases based upon benchmark cities used by Management Association and City Clerk's 1997 salary request (June 26 Council Minute Order). He indicated 8.7% increase based on salary only and 10.66% increase for salary with auto allowance.

City Clerk Rasmussen/City Treasurer Hornung recommended **Resolution** Setting Salary for **City Clerk/City Treasurer**; pursuant to Resolutions 1995-48/49, approves 13.75% average of percentage increases granted to members of San Bruno Management Association effective March 12, 2001.

City Treasurer presented historical perspective and clarified methodology.

Ed Simon, Chestnut Avenue (*former Mayor/Councilmember and City Clerk candidate*) supported current methodology.

Councilmember Pallas introduced Resolution recommended by City Clerk/City Treasurer; failed 4-1.

Amended Resolution 2001-55 incorporating 10.66% increase was introduced by Vice Mayor Ruane and unanimously adopted by roll call vote; effective March 12, 2001 increases monthly salary to \$6894/Clerk and \$2792/Treasurer.

c. **New City Clerk Position/Salary** (*current City Clerk is not seeking reelection*)

Ad Hoc Committee Member O'Connell recommended establishing **part time** elected position with same salary as City Treasurer and statutory duties outlined in Addendum A. Member Ruane recommended retaining **full time** elected position with monthly salary of \$4826 which represents 70% of outgoing Clerk's salary (*similar to salary range for classified positions*).

City Clerk Rasmussen recommended **Resolution** Setting Salary for **Full Time** Newly Elected City Clerk in compliance with State law.

Ed Simon, Chestnut Avenue, noted public outrage resulting from last attempt to reduce position to part time and stated 30% salary cut is drastic.

Recessed 9:02 pm. Reconvened 9:05 pm.

Mike Kaiser, 5th Avenue, supported part time position and objected to \$70,000 annual salary for Clerk to Council duties.

Rico Medina, Milton Avenue, cited importance of full time position independent of Council and emphasized his trust in electorate.

Marina Kaiser, 5th Avenue, stated in elections one must never assume and asked about recourse if new clerk is inefficient.

Councilmember O'Connell introduced Resolution establishing position/salary for **part time** City Clerk; failed 2-3 (Ibarra).

Resolution 2001-56 Setting Salary (70%) for **Full Time** Newly Elected City Clerk was introduced by Vice Mayor Ruane and adopted by majority roll call vote (Ibarra/O'Connell, no).

d. **November 6 Election: City Clerk Rasmussen** presented oral update indicating Nomination Period July 16 through August 10, including five day extension for City Clerk position. *Election Calendar* was included.

CALL FOR BIDS, PRESENTATION OF BIDS, AWARD OF CONTRACTS

Public Works Director Munns recommended award contract to **San Mateo County** in amount not exceeding \$68,000 for right-of-way acquisition services for **El Camino Real/Sneath Lane Intersection Improvement Project**; costs chargeable to BART/CMAQ/Developer.

M/S Ruane, Ibarra/Pallas to concur in recommendation; passed unanimously.

COMMUNICATIONS: None

STAFF REPORTS

a. **Fire Chief Graham/Chief of Police Violet** presented oral update re **July 4 Fireworks**, emphasizing (1) extensive public education prior to July 4, (2) focus on enforcement, and (3) response to all complaints and anonymous tips (*100 fewer calls, 225 calls last year*).

Included was Fire Chief's June 29 reminder to vendors about age of personnel within stands and fireworks storage.

Mike Kaiser/Parent Boosters 72, 5th Avenue, responded to recent newspaper article, indicating stands pay sales tax and benefit community.

Paula Johnsen/San Bruno Rams, Cottonwood Drive, commended Police/Fire Departments and noted problems with transporting storage container.

b. **Finance Director O'Leary** recommended approve budget amendment to FY 01-02 General Fund and Special Revenue Funds Budget and establish **Building and Facilities Internal Service Fund** (*proposed appropriation \$814,300*); completes budget changes related to reorganization of Parks & Recreation and Public Works Departments in July 2000.

M/S Ruane, Ibarra to concur in recommendation; passed unanimously.

c. **CATV Director Thomas** presented oral update re termination of Bay-TV (Channel 35) effective July 31, 2001.

REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None

PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None

REPORT OF COMMISSIONS, BOARDS & COMMITTEES - Oral Updates

Beautification Task Force (O'Connell): Beautification Awards applications available on web site and at City Hall, Library and Senior Center, August 1 deadline

NEW BUSINESS

a. **Councilmember Pallas** requested (*oral*) consideration of salary increase for Councilmembers (*about \$60 monthly, 5% x 3 years*) to take effect after November election (*current monthly salary \$400, last increase 1997*). **IT WAS AGREED** to consider Ordinance August 14.

b. Upon request from **Mayor Franzella**, **IT WAS AGREED** Vice Mayor Ruane will work with him and City Manager to screen applications and schedule interviews for City Attorney position.

Recessed 10:05 pm. Reconvened 10:08 pm.

CLOSED SESSION

Interim City Attorney Kenyon requested Closed Session pursuant to Government Code Section 54956.9(a) and 9(c) for Conference with Legal Counsel re existing litigation re (1) *Thomas Ott v City of San Bruno*, and (2) anticipated litigation.

Recessed to Closed Session 10:09 pm. City Clerk Rasmussen was excused.

Reconvened about 10:35 pm

Mayor Franzella advised no reportable actions.

AGENDA ANNOUNCEMENT

August 14 agenda will include adoption of **Resolution** Establishing Appropriations Limit for FY 01-02 pursuant to Article XIII B of State Constitution (*Gann Initiative*), documentation used in determining limit available for public review **Monday, August 6** in City Clerk’s Office (*Government Code Section 7910*).

ADJOURNMENT

Pursuant to Staff recommendation, meeting adjourned at about 10:37 pm to **Wednesday, August 1, 5:30 pm**, Senior Center, for purpose of considering submission of ballot measure at November 6, 2001 General Municipal Election re Transit Occupancy Tax.

Next regular meeting is scheduled **Tuesday, August 14, 7:00 pm**. There is no second meeting in July for lack of quorum.

Foregoing minutes approved by
San Bruno City Council at regular
meeting held August 14, 2001

Respectfully submitted,

Terri Rasmussen, City Clerk

Larry Franzella, Mayor

ADJOURNED REGULAR MEETING AUGUST 1, 2001
Ballot Measure

THIS IS TO CERTIFY THAT:

The San Bruno City Council met in Adjourned Regular Session at the Senior Center, 1555 Crystal Springs Road, Wednesday, August 1, 2001, 5:30 pm, for purpose of considering submission of ballot measure at November 6, 2001 Municipal Election re Transit Occupancy Tax. Present were Mayor Franzella, presiding; Councilmembers Ibarra, O’Connell, Ruane; City Clerk Rasmussen, recording; City Manager Hedley, Interim City Attorney Kenyon.
ABSENT: Councilmember Pallas (excused)

Mayor Franzella advised Councilmember Pallas is recuperating from a mild stroke.

Interim City Attorney Kenyon recommended **Resolution 2001-57** Submitting to Qualified San Bruno Voters a Measure Re Continuation of 2% Increase in **Transient Occupancy Tax** and Requesting County Clerk to Include Measure in November 6, 2001 General Municipal Election; reaffirms increase approved by Ordinance 1531 adopted July 22, 1991.
Resolution was introduced by Councilmember Ibarra and unanimously adopted by roll call vote (Pallas, absent).

City Clerk Rasmussen recommended

- a. Direct Interim City Attorney to prepare *Impartial Analysis* for Voters Pamphlet.
- b. Determine that Council will be *Proponent* and authorize Mayor to sign *Ballot Argument* on behalf of Council.
- c. Authorize Mayor/Staff to finalize Voters Pamphlet documents, including *Rebuttal Ballot Argument*, if necessary (no regular Council meeting prior to Election deadlines).
Note: Deadline for primary arguments (300 words) Monday, August 20, 5:00 pm, and rebuttal arguments (250 words) Thursday, August 30, 5:00 pm
- d. Authorize City Manager to take any other actions necessary to carry out Council’s intent.
M/S Ibarra, Ruane to concur in recommendation; passed unanimously.

Upon request from **City Manager Hedley**, **IT WAS AGREED** Mayor Franzella and Councilmember O’Connell will serve as ad hoc committee for finalization of Voters Pamphlet documents.

Mayor Franzella announced Legislative Update by **Senator Jackie Speier** Thursday, August 9, 9:30 am, San Bruno Library.

ADJOURNMENT

There being no further business to transact, meeting was adjourned at 5:37 pm.

Foregoing minutes approved by
San Bruno City Council at regular
meeting held August 14, 2001

Respectfully submitted,

Terri Rasmussen, City Clerk

Larry Franzella, Mayor